IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

A.S.No.746 of 1994

O.S.NO.46/1994 OF THE COURT OF THE SUB JUDGE, PALA.

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APPELLANTS/DEFENDANTS 1 & 4:-

1. A.P.BALAKRISHNAN NARI, S/O.RAMAVARMA RAJA, AYIKARA HOUSE, PANACHIKKAPARA, POONJAR.

2. SUVARNA FINANCIERS, PANACHIKAPARA, POONJAR, REPRESENTED BY 1ST APPELLANT.

BY ADV.SRI.P.KOCHUPAPPU ACHAN (**DIED**)

RESPONDENTS/PLAINTIFFS 1 & 2 AND DEFENDANTS 2 AND 3:-

1. P.S.INDIRADEVI, W/O.M.G.GOPINATHAN NAIR, MADAPPATTU HOUSE, THALANAD, ERATTUPETTA.

2. M.G.GOPINATHAN NAIR, S/O.GOPALA PILLA, DO. DO.

* 3. N.CHANDRASEKHARA PILLAI, KUREEKATTU, MUTTAMPALAM, KOTTAYAM (**DIED** - RECORDED).

4. P.L.ANANDAVALLI AMMA, W/O.N.CHANDRASEKHARA PILLAI, DO. DO.

*(IT IS RECORDED THAT RESPONDENT NO.3 IS DEAD, VIDE ORDER DATED 19.3.2007 ON MEMO DATED 15.3.2007, CF.1536/07).

R1 BY ADV.SRI.T.P.VARGHESE
SRI.PHILIP T.VARGHESE.

R3 & R4 BY ADV.SRI.T.K.M.UNNITHAN
SRI.P.G.GANAPPAN.

THIS APPEAL SUIT HAVING COME UP FOR ORDERS ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.Padmanabhan Nair,J.

A.S.No.746 of 1994

Dated, this the 9th day of April, 2007

JUDGMENT

Since the lawyer appearing for the appellants was no more, a notice was issued to the appellants. It was returned with an endorsement stating that the 1st appellant expired long back. The learned counsel appearing for the respondents submits that the 3rd respondent in the appeal also died. So, the appeal so far as it relates to 1st appellant and 3rd respondent abated. Without them on the party array, no effective decree can be passed. Hence the appeal is closed as abated.

K.Padmanabhan Nair
Judge

vku/-